

FROM: MR. JUAN L. MARTINEZ

43 ZONE 3 ST. ENRIQUE

MALBONG & CAINZA

CAG. SUR

Philippines

Republic of the Philippines

REGIONAL TRIAL COURT

National Capital Judicial Region

QUINTON CITY

- 000 -

OFFICE OF THE CLERK OF COURT

SPS. JEFFERSON and

ELNORA CALLEJA - vs -

by Atty. - in - Fact JUAN L. MARTINEZ

Civil Case No. Q-05-55500

With TRO Adjunction

- 00000 -

SUMMONS and

NOTICE OF RAFFLE

- OFFERING ALABET MARTINEZ, et al.

Defendants.

TO :

OFFERING ALABET MARTINEZ
 JUAN JACOB MARTINEZ
 THEIR RELATIVES AND PERSONS
 WHO ARE OR MAY BE ACTING
 FOR AND ON THEIR BEHALF

All of Malbog, Cagayan
 Cagayan Sur

June - 10 - 2005
 7:45 AM

Juan Martinez

June - 10 - 2005
 7:45 AM

Clerk of Court

GREETINGS :

You are hereby required to file with this Office within fifteen (15) days after the service of your answer to the complaint of the plaintiff/s, copy of which is hereto attached and herewith served upon you and to serve a copy of said answer within the same period upon the plaintiff. If you fail to answer within the time aforesaid the plaintiff will take judgment against you by default and demand from said court the relief applied for in said complaint. And, per Administrative Circular 20-95, dated September 12, 1995, please be advised that the above-entitled case with prayer for a Temporary Restraining Order/Preliminary Injunction filed with this Office on even date will be raffled on June 13, 2005 at 2:00 PM a.m./p.m. by the Executive Judge in her sala at Branch 106, 2nd Floor, Hall of Justice building, Quizon City. In the event that the scheduled raffle be postponed, it shall be held on the next rafter day without need of re-notification of parties.

The summary proceedings on whether a TRO shall issue will be conducted by the Judge to whom this case is raffled.

Exhibit A

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Quezon City, Metro Manila. June 8, 2003

✓
PERLITA VITAN-ELE
Clerk of Court

GREGORIO C. TALUD
Asst. Clerk of Court

Republic of the Philippines
REGIONAL TRIAL COURT
NATIONAL CAPITAL JUDICIAL REGION
Branch____, Quezon City



**SPOUSES JEFFERSON and
ELNORA CALIMLIM, as repre-
sented by their attorney-in-fact
JENNIFER M. YANGA,**

Petitioners,

05-55588

SPECIAL CIVIL ACTION No._____

**For: Injunction with prayer for
Temporary Restraining Order**

- versus -

**CEFERINA ALABET MARTINEZ,
JUAN JACOB MARTINEZ, THEIR
RELATIVES, FRIENDS, REPRE-
TATIVES AND PERSONS WHO ARE
OR MAY BE ACTING FOR AND ON
THEIR BEHALF,**

Respondents.

x-----x

P E T I T I O N

PETITIONERS, through the undersigned counsel and unto this
Honorable Court, respectfully allege:

1. That petitioners are spouses, who are of legal age,
Filipinos and with residence at No. 19120 Still Point Trail,
Brookfield, Wisconsin 53045, U.S.A. They are represented in this

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Petition by Jennifer M. Yanga, a Filipino of legal age, married and
with postal address at No. 134 9th Street, New Manila, Quezon City,

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Metropolitan Manila, where summons and other processes may be served.

Respondents, on the other hand, are likewise of legal age, Filipinos and residents of Malbog, Gainza, Camarines Sur, where they may be served with processes of this Court.

2. That for the particular purpose of filing this instant petition and to perform any acts relative thereto, the petitioners executed a Power of Attorney constituting as their lawful attorney-in-fact the same Jennifer M. Yanga referred to in above item no. 1. A copy of said Power of Attorney is hereto attached as Annex "A" and made integral part hereof. In order to provide authenticity to the notarized document, a copy of the Certificates of Authentication executed by Philippine Vice-Consul Roberto T. Bernardo and Secretary of State of Wisconsin Douglas La Follette are hereto attached as Annexes "B" and "C," respectively.

3. That Petitioners have been improperly charged with certain crimes before the court of the United States of America, with one Irma Martinez as the alleged victim, and are out only on bail.

4. In his 12 April 2005 letter, Thomas E. Brown, legal counsel of the Petitioners in the United States of America, stated, to wit:

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"To Whom It May Concern;

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I represent Dr. Jefferson Calimlim and I am authorized to write this letter on behalf of Attorney Michael Fitzgerald, who represents Elnora Calimlim in a federal indictment which charges them certain crimes involving one Irma Martinez as the alleged victim.

In numerous court hearings, the federal government has alleged that members of the families of Dr. and Mrs. Calimlim have contacted the parents of the alleged victim and attempted to influence them to get the charges dropped. These allegations are untrue and unlawful. More importantly, if the Martinez family continues to contact the family of Dr. and Mrs. Calimlim, it will cause irreparable harm to them. It is extremely harmful to Dr. and Mrs. Calimlim that these allegations are made because there is a risk that a judge in the United States might revoke their bail and place them in jail if he is convinced the contacts in fact occurred. Obviously, we wish to avoid this at all costs.

I am therefore requesting the help of the judicial system in the Philippines. I would request the courts enter an order or some type of judicial process which prohibits the Martinez family from contacting the Calimlim's relatives. While the allegations here have been that the Calimlim family has contacted the Martinez family, I am advised that the opposite is true. In order to protect my clients, a restraining order or some sort of prohibition against the Martinez family would be most beneficial.

The order should prohibit Ceferina Alabet and Juan Jacob Martinez of Malbog, Gainza, Camarines Sur, Philippines from having any contact with Dr. Rey B. Mendoza, Mrs. Evangelina B Mendoza and other relatives of Dr. Jefferson and Elnora Calimlim.

If you need anything further, please do not hesitate to contact me.

Very truly yours,

THOMAS E. BROWN



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6. That there is no appeal nor any other plain, speedy and adequate remedy in the ordinary course of law available to the petitioners.

**BASIS FOR THE ISSUANCE OF
A TEMPORARY RESTRAINING ORDER**

5. Petitioners hereby reiterate, replead and incorporate by reference all the foregoing in so far as they are material.

6. Petitioners are entitled to the relief demanded and more than a sufficient cause of action exists against the respondents.

7. The commission by the respondents of the acts sought to be enjoined will work injustice and irreparable injury to the petitioners. Any attempt on the part of the respondents to communicate or, at the very least, exert effort to contact any of the members of the family of the petitioners would jeopardize the liberty of Petitioners.

8. Petitioners are ready, willing and able to post a bond in such amount to be fixed by this Honorable Court to answer for any damages that respondents may incur by the issuance of the injunctive reliefs herein sought.



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P R A Y E R

WHEREFORE, PREMISES CONSIDERED, It is respectfully prayed that, after the proper proceeding, the respondents be permanently enjoined from contacting or communicating, in any manner, Dr. Rey B. Mendoza, Mrs. Evangeline B. Mendoza and with any of the petitioners' relatives.

In the Interim, It is further prayed that a temporary restraining order be issued enjoining the respondents from committing the acts described in the foregoing, such as but not limited to contacting the relatives of the Petitioners in any possible manner.

Other reliefs, just and equitable under the premises, are likewise prayed for.

____ 2005; Pasig City for Quezon City.

FONDEVILLA JASARINO YOUNG
RONDARIO & LIBROJO Law Offices
Counsel for the Petitioners

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P R A Y E R

WHEREFORE, PREMISES CONSIDERED, It is respectfully prayed that, after the proper proceeding, the respondents be permanently enjoined from contacting or communicating, in any manner, Dr. Rey B. Mendoza, Mrs. Evangeline B. Mendoza and with any of the petitioners' relatives.

In the interim, It is further prayed that a temporary restraining order be issued enjoining the respondents from committing the acts described in the foregoing, such as but not limited to contacting the relatives of the Petitioners in any possible manner.

Other reliefs, just and equitable under the premises, are likewise prayed for.

_____ 2005; Pasig City for Quezon City.

FONDEVILLA JASARINO YOUNG
RONDARIO & LIBROJO Law Offices
Counsel for the Petitioners

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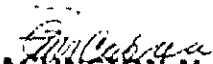
Unit 1701 Tektite East Tower
Exchange Road, Ortigas Center
1065 Pasig City

[Handwritten signature]

By:


WILLIAM L. JASARINO

IBP No. 631395; 01-03-05; Makati
PTR No. 2247413; 01-03-05; Pasig
Roll of Attorneys No. 38571


MA. ASUNCION M. CABRERA
IBP No. 631400 01-03-05; Laguna
PTR No. 2247418 01-03-05; Pasig
Roll of Attorney's No. 49322

**VERIFICATION AND CERTIFICATION ON
NON-FORUM SHOPPING**

REPUBLIC OF THE PHILIPPINES)
QUEZON CITY)S.S.

I, JENNIFER M. YANGA, of legal age, after having duly sworn in accordance with law hereby depose and certify that I am the attorney-in-fact of Spouses Jefferson and Elnora Calimlim in this case; that I have caused the preparation of the foregoing Petition; that I have read and understood all the contents thereof and attest that they are true and correct to the best of my personal knowledge.

This is to further certify that I have not filed any other action or proceeding involving the same issues before the Supreme Court,

2011 02/25/11

CONFIDENTIAL

02/25 2011

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Court of Appeals, or other tribunal or agency; and that I learn of any such action or proceeding pending before the Supreme Court, Court of Appeals or other tribunal or agency, I hereby undertake to inform this Honorable Commission thereof within five (5) days from such notice.


JENNIFER M. YANGA

07 JUN 2005

SUBSCRIBED AND SWORN to before me on this ____th day of
____ 2005 in MARIKINA City, affiant exhibiting to me his
CTC No. 1503425 Issued on JAN 4, 2005 in
Quezon City.


ATTY. MARCIAL S. BACALLA JR.
Notary Public
NOTARY PUBLIC
UNTIL JAN. 03, 2006
PTR NO. 1503425 / 1-03-05
IBP NO. 0425 / LIFETIME
ROLL NO. 33948

Doc. No. 473;
Page No. 45;
Book No. XXX;
Series of 2005.

REQUEST

The Clerk of Court
Regional Trial Court
Quezon City

Please submit the foregoing Petition for Injunction with prayer for the issuance of a Temporary Restraining Order to the Honorable Court immediately upon receipt hereof.


MA. ASUNCION M. CABRERA


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Court of Appeals, or other tribunal or agency; and that I learn of any such action or proceeding pending before the Supreme Court, Court of Appeals or other tribunal or agency, I hereby undertake to inform this Honorable Commission thereof within five (5) days from such notice.


JENNIFER M. YANGA

07 JUN 2005

SUBSCRIBED AND SWORN to before me on this ____th day of _____ 2005 in MARIKINA CITY, affiant exhibiting to me his CTC No. 1003344 Issued on JAN 4, 2005 in QUEZON CITY.


ATTY. MARCELINO S. BACALLA JR.
Notary Public
NOTARY PUBLIC
UNTIL JAN. 03, 2006
PTR NO. 1503425 / 1-05-05
IBP NO. 08257 - LIFETIME
ROLL NO. 33948

Doc. No. 473;
Page No. 9;
Book No. XXX;
Series of 2005.

REQUEST

The Clerk of Court
Regional Trial Court
Quezon City

Please submit the foregoing Petition for Injunction with prayer for the issuance of a Temporary Restraining Order to the Honorable Court immediately upon receipt hereof.


MA. ASUNCION M. CABRERA

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ANNEX "A"**The Foreign Service Of The Republic Of The Philippines**

CONSULATE GENERAL OF THE PHILIPPINES }
CITY OF CHICAGO } S.S.
STATE OF ILLINOIS, U.S.A. }

ACKNOWLEDGMENT

Before me, ROBERTO T. BERNARDO, Vice Consul of the Republic of the Philippines for the States of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, North Dakota, Nebraska, South Dakota, Ohio, Wisconsin, Arkansas, Mississippi, Louisiana, and Oklahoma, duly commissioned and qualified, hereby certify that on 08 April 2005, personally appeared,

JEFFERSON and ELNORA CALIMLIM

known to me to be the same person/s who executed the annexed instrument, and, being informed of its contents, acknowledged that the same are of their own free will and deed.

This Consulate General assumes no responsibility for the contents of said document.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the Consulate General of the Republic of the Philippines at Chicago this 8th day of April 2005.

Roberto T. Bernardo
ROBERTO T. BERNARDO
Vice Consul

Annexed document is a Power of Attorney.

Fee: \$ 25.00
O.R. # 303343G

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Serv. # 7537
Doc. # 1766
Page # 063
Series 2005

This certificate is not valid if removed or altered in any way whatsoever.

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POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

We, Spouses JEFFERSON and ELNORA CALIMLIM, Citizens of the Philippines, of legal age, and residents of 19120 Still Point Trail, Brookfield, Wisconsin 53045, do hereby appoint, constitute and name JENNIFER M. YANGA, a Filipino of legal age, married and with postal address of 134 9th Street, New Manila, Quezon City, Metro Manila, Philippines, to be our true and lawful attorney-in-fact, for us and in our name, place and stead, to do and perform the following acts and things:

To act as and be our representative in all proceedings of the proper petition for injunction to be filed before the proper court against Ceferina Alabet Martinez, Juan Jacob Martinez and their relatives, most of whom are residents of Malbog, Cainza, Camarines Sur, to enjoin and restrain all of them from having any and all forms of contacts with Dr. Rey B. Mendoza, Mrs. Evangeline B. Mendoza and any of our relatives as well as in all other cases that may subsequently arise consequent to or from said case, regardless of venue of such other cases and whether or not at our instance;

To sign the verification and certification that may be needed or required in such petition for injunction or in any other pleadings or cases where such verification and certification are needed or required;

To enter into a stipulation of facts or admissions, compromise agreement or an amicable settlement and perform other acts which may be required, expected, necessary or advisable or convenient in a pre-trial or an equivalent proceeding, or at any stage of any of the case referred to above, under such terms as said attorney-in fact may deem advantageous or

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POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

We, Spouses JEFFERSON and ELNORA CALIMLEM, Citizens of the Philippines, of legal age, and residents of 19120 Still Point Trail, Brookfield, Wisconsin 53045, do hereby appoint, constitute and name JENNIFER M. YANGA, a Filipino of legal age, married and with postal address of 134 9th Street, New Manila, Quezon City, Metro Manila, Philippines, to be our true and lawful attorney-in-fact, for us and in our name, place and stead, to do and perform the following acts and things:

To act as and be our representative in all proceedings of the proper petition for injunction to be filed before the proper court against Ceferina Alabet Martinez, Juan Jacob Martinez and their relatives, most of whom are residents of Malbog, Cainza, Camarines Sur, to enjoin and restrain all of them from having any and all forms of contacts with Dr. Rey B. Mendoza, Mrs. Evangeline B. Mendoza and any of our relatives as well as in all other cases that may subsequently arise consequent to or from said case, regardless of venue of such other cases and whether or not at our instance;

To sign the verification and certification that may be needed or required in such petition for injunction or in any other pleadings or cases where such verification and certification are needed or required;

To enter into a stipulation of facts or admissions, compromise agreement or an amicable settlement and perform other acts which may be required, expected, necessary or advisable or convenient in a pre-trial or an equivalent proceeding, or at any stage of any of the case referred to above, under such terms as said attorney-in-fact may deem advantageous or

reasonable to us, or, at her discretion, to name and authorize a legal counsel of her choice by the appropriate legal instrument to do these things;

We are HEREBY GIVING AND GRANTING unto said attorney-in-fact full power and authority whatsoever proper, necessary or requisite to be done in and about the premises as fully to all intents and purposes as we might or could lawfully do if personally present, with power of substitution and revocation. We are hereby ratifying and confirming all that said attorney-in-fact or her substitute shall lawfully do or cause to be done under and by virtue of these presents.

This Special Power of Attorney shall remain in full force and effect until expressly revoked.

IN WITNESS WHEREOF, we have signed this Special Power of Attorney this 7th day of April, 2005 at MILWAUKEE

Johnnie, and

PRINCIPAL

Johnnie, and

Elmer M. Calumet, and

PRINCIPAL

Elmer M. Calumet, and

SIGNED IN THE PRESENCE OF:

Judy Abbott

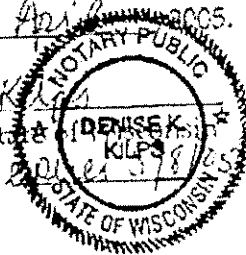
Mary M. Herdath

Subscribed and sworn to before me
this 7th day of April, 2005.

Denise K. Kilps

Notary Public, State of Wisconsin

My commission: 2004-2008



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ANNEX "B" 59

The Foreign Service Of The Republic Of The Philippines

CONSULATE GENERAL OF THE PHILIPPINES)
 CITY OF CHICAGO) S. S.
 STATE OF ILLINOIS, U.S.A.)

CERTIFICATE OF AUTHENTICATION

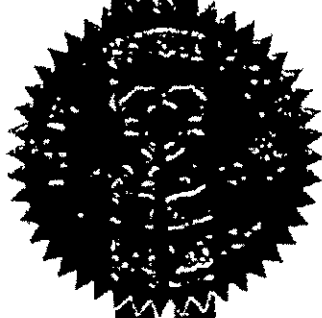
I, ROBERTO T. BERNARDO, Vice Consul of the Republic of the Philippines for the States of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, North Dakota, Nebraska, South Dakota, Ohio, Wisconsin, Arkansas, Mississippi, Louisiana, and Oklahoma, duly commissioned and qualified, do hereby certify that, Hon. Douglas La Follette whom the annexed instrument has been executed was, at the time he/she signed the same **Secretary of State of the State of Wisconsin** and that full faith and credit be given to his/her official act.

For the contents of the annexed instrument, the Consulate General assumes responsibility.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Consulate General of the Republic of the Philippines at Chicago to be affixed this 15th day of April 2005.

Roberto T. Bernardo
 ROBERTO T. BERNARDO
 Vice Consul

*Annexed document is a letter from
 GRGB Law Office signed by
 Thomas E. Brown.*



Fee
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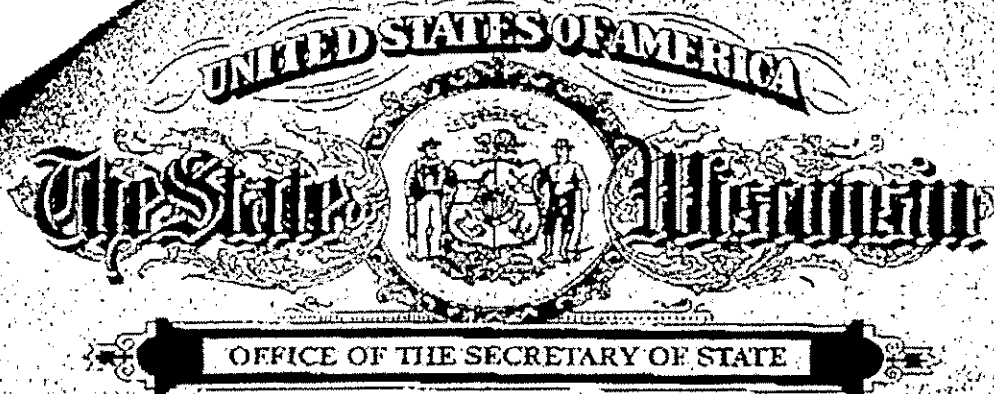


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of 2005

This certificate is not valid if removed or altered in any way whatsoever.

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ANNEX "C"



TO ALL TO WHOM THESE PRESENTS SHALL COME:

I, DOUGLAS LA FOLLETTE, Secretary of State of the State of Wisconsin, do hereby certify that according to the records of this office,

Denise K. Kilps

was a Notary Public in and for the State of Wisconsin April 12, 2005.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Wisconsin, in the City of Madison, on this day April 13, 2005.

Douglas La Follette

DOUGLAS LA FOLLETTE
Secretary of State

